

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

GABE LOCKETT CULLER,

Petitioner,

VS.

Judge TILMAN T. SELF,

Respondent.

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NO. 5:12-CV-260 (MTT)

ORDER

Pro se Petitioner **GABE LOCKETT CULLER** filed the instant habeas corpus petition under 28 U.S.C. § 2254 (Doc. 1). It was unclear in the petition whether Petitioner had exhausted his state court remedies. This Court therefore ordered Petitioner to supplement his petition to indicate whether he had satisfied the exhaustion requirement, which was discussed in detail in this Court Order (Doc. 5). The Court also directed Petitioner to name an appropriate respondent, such as the director of Central State Hospital, where Petitioner is being civilly confined.

Petitioner has completed and submitted a new habeas petition form in which he names a psychiatrist, a psychologist, and a social worker as Respondents (Doc. 6) as well as an additional untitled document (Doc. 5). It appears in the new petition form that Petitioner has not fully exhausted his state court remedies and, in his untitled document, Petitioner states that such exhaustion is not required.

In contrast to Petitioner's assertion, complete exhaustion of his state court remedies is necessary before Petitioner may pursue a federal habeas corpus action.

The instant petition is therefore **DISMISSED WITHOUT PREJUDICE**. Petitioner may refile his federal habeas petition once he has exhausted his state court remedies.

SO ORDERED, this 25th day of October, 2012.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT